

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b> <b>ex rel. YOASH GOHIL,</b>  <b>Plaintiff,</b>  <b>v.</b>  <b>SANOFI-AVENTIS U.S. INC., et. al.</b>  <b>Defendant.</b>	: : : : : : : : : : : :	<b>CIVIL ACTION</b>  <b>02-2964</b>
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**ORDER**

**AND NOW**, this 30<sup>th</sup> day of March 2015, upon consideration of defendants' motion to dismiss the second amended complaint, doc no. 91, relator's response, doc. no. 94, defendants' reply thereto, doc. no. 97, the supplemental briefing, doc. nos. 108, 109, 120, 118, 115, 121, 122, 123, 124, the statement of interest of the United States, doc. no. 93, and following oral argument on February 19, 2014, **IT IS HEREBY ORDERED** that:

1. The motion to dismiss, doc. no. 91, is **GRANTED in part**;
2. Counts III and IV are **DISMISSED without prejudice**;
3. The motion is otherwise **DENIED**; and
4. Relator has leave to file a third amended complaint within 21 days of the entry of this order.

BY THE COURT,

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/s/ Lawrence F. Stengel  
LAWRENCE F. STENGEL, J